

## **REMARKS/ARGUMENTS**

The Examiner is thanked for the final Office Action mailed July 9, 2008 and the courtesies extended during the telephone conference of July 17, 2008 regarding proposed amendments to overcome the rejections. The status of the application is as follows:

- Claims 1-26 are pending.
- Claims 1, 2, 4-7, 9, 12-16, and 20-25 are rejected 35 U.S.C. 103(a) as being unpatentable over Noehring et al. (US 2002/0188871 A1) in view of Banker (US 5,357,276).
- Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Noehring et al. in view of Banker and further in view of Kocaman et al. (US 2004/0030513 A1).
- Claims 8, 17 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Noehring et al. in view of Banker and further in view of Nozawa et al. (US 5,235,641).
- Claims 10, 11, 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Noehring et al. in view of Banker and further in view of Trost et al. (US 4,627,018).

The rejections are discussed below.

### **The Rejections under 35 U.S.C. 102(b) and 35 U.S.C. 103(a)**

Independent **claims 1, 12 and 22** have been amended in accordance with the discussion with the Examiner during the telephone conference of July 17 regarding proposed amendments to overcome the rejections. It is believed that the application is now in condition for allowance. As such, the rejection of claims 1, 12 and 22 should be withdrawn. The remaining claims are allowable at least by virtue of their dependencies to the independent claims.

### Conclusion

In view of the foregoing, it is submitted that the subject claims distinguish patentably and non-obviously over the prior art of record. An early indication of allowability is earnestly solicited.

Respectfully submitted,

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AMD:cg